

Montgomery County Commissioners Meeting

March 9, 2004 ~ 6:00 p.m.

Chairman – William D. Maness “Billy”

Vice-Chairman – Dolon W. Corbett

Commissioner - Sally M. Morris

Commissioner – R.C. Bostic

Commissioner – George H. Knight, Jr.

County Manager – Lee Matthews

Clerk – Laura B. Morton

County Attorney – Russell J. Hollers

The Montgomery County Board of Commissioner’s met in regular session on Tuesday, March 9, 2004 at 6:00 p.m. in the Montgomery County Commissioners’ Room. All board members were present. *Chairman Maness called the meeting to order and the following was heard:*

Rev. Paul Whitley from the Revival Temple Church of God in Christ gave the invocation.

Approval of Minutes

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the minutes for the last meeting.

Public Forum

Kent Haywood appeared before the board representing his neighborhood. His sister’s well was tested and very high levels of arsenic were found. He spoke of an article that was published in the *Montgomery Herald* regarding arsenic and illness associated with it. He said he grew up next door to where he lives now and has lived in his current house for 23 years and has several of the illness associated with arsenic. He listed the following as benefits of have county water: it is reliable, more pressure, have water when there is no power, fire hydrants in case of fire. Mr. Haywood said it is an overriding health issue and requested this be a high priority.

Chairman Maness requested that Mr. Carpenter from Hobbs Upchurch come up.

Commissioner Bostic asked where this is? Mr. Haywood explained that it is 1-1/2 miles out of Mt. Gilead. Mr. Carpenter said the best way to run the water would be from Mt. Gilead.

There was discussion on where the water comes from.

Chairman Maness asked Mr. Carpenter and Mr. Matthews to add this petition to the existing list.

Cathy Latham, appeared before the board representing Westside Search and Rescue. She explained that the group would assist the Sheriff’s Department and Montgomery County Rescue. Mrs. Latham said she was there at the direction of the Sheriff. She said the, group of five; plans to get their First Responders status and all members have some type of certification.

Chairman Maness asked if they have tried to join others instead of starting their own? Mrs. Latham said they have tried, but no one utilizes scuba divers.

Commissioner Bostic asked Mrs. Latham what are you asking of the county? Mrs. Latham said nothing now, but when everything is running smooth, they may ask for funding.

Commissioner Bostic asked if they have the scuba diving equipment? Mrs. Latham said yes.

Commissioner Knight said how have we needed you in the past. Mrs. Latham spoke of several incidences where they helped in searches. Commissioner Knight said what have they done in the past? Mrs. Latham said they have paged us. Mr. Knight asked how much they charge? Mrs. Latham said we are volunteer. Chairman Maness asked about liability? Mrs. Latham said they have liability insurance. Commissioner Knight asked if they help other counties? Mrs. Latham said they do help surrounding counties.

Commissioner Knight said I don't understand why you are here, what are you asking the commissioners? Mrs. Latham said I am not asking the board for anything, I just wanted to let you know about our group.

Chairman Maness said he wonders what type of liability it would be putting the county under to call the group for help.

Commissioner Bostic asked if there is an Alzheimer's patient that is lost, would you help find them? Mrs. Latham said yes.

Palmetto Armstrong appeared before the board requesting the board run water in the Dry Creek Community. She was concerned about the health of the community at Dry Creek. She spoke of wells that had been condemned. She said she would be grateful for anything the board could do. She said she appreciates the service the board of commissioners provides Montgomery County. Mrs. Armstrong said she hopes that before she secludes from the world, she will be able to have fresh water from the spigot.

Board of Health Appointment

Kathleen Devore Jones was presented and requested, on behalf of the Board of Health, that Mrs. Beth Howell Walker be reappointed to serve on the board. This appointment is a citizen representative on the board. Mrs. Jones said she has served two terms and is currently service as vice-chair. She is willing to serve another term and has been a very active member of the board.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the motion carried unanimously to reappoint Beth Howell Walker to serve on the Board of Health.

Planning and Zoning Report – Variance Request

Phil Henley presented the following variance case:

Thomas and Nancy Floyd is requesting an 8 foot variance for their property located at 143 Uwharrie Court in Mt. Gilead at Woodrun. This request is in order to build an extension onto an existing deck to their home. The Planning Board would like to make a recommendation of approval to the County Commissioners. Mr. Henley supplied the board with a map of the property.

Mr. Floyd came up and explained that he spoke with Mr. Chisholm with Progress Energy about the line and he said they would never change the line.

Commissioner Bostic asked what if CP&L doesn't agree with the variance? Chairman Maness said it isn't encroaching.

Commissioner Knight asked why is this important, why does he have to come and get approval for this. Chairman Maness said he is requesting a variance. Commissioner Knight asked if this is in the ordinance? Mr. Matthews explained.

Commissioner Knight asked why do we have set backs? Chairman Maness said new places have to abide by the set backs; this structure was approved when it was first built.

Commissioner Knight said someone approved it before, I don't understand. The ordinance says we have setbacks, what is the point of having the ordinance?

Commissioner Corbett said marks vary from surveyor to surveyor. Commissioner Knight said we need to talk to the surveyor then. Commissioner Corbett said their (CP&L Surveyor) no one can understand their surveys because the lake hasn't changed.

Commissioner Knight asked why do we have the ordinance? Chairman Maness said the ordinance also allows variances. Commissioner Knight said what you are saying is we don't have to do for all. Chairman Maness I am not saying that, it is a judgment call. Commissioner Knight said why don't we change the ordinance? Chairman Maness said I think the ordinance is fine.

Commissioner Knight said we just talked about running water; didn't argue because it sounded fair, it looks fair. Not fair to say if enough votes can give. Chairman Maness said I understand.

In a motion made by Commissioner Morris, seconded by Commissioner Bostic, and so the motion carried 4-1 to approve the variance request for Mr. and Mrs. Floyd. (Voting For: Commissioner Morris, Commissioner Bostic, Commissioner Corbett, Chairman Maness; Voting Against: Commissioner Knight).

Approval of Tax Refunds

Mr. Matthews presented the following tax refund request to the board:

- Request for a refund to Lendon Williams for 1999-2003 taxes in the amount of \$1,138.90 due to manufactured home being listed to Lendon Williams and also listed to Bruce and Rebecca Davis.

▪ 2003 Tax	229.30
▪ 2002 Tax	231.19
▪ 2001 Tax	231.19
▪ 2000 Tax	223.61
▪ 1999 Tax	<u>223.61</u>
TOTAL	1,138.90

Commissioner Knight asked why it took so long to find this? Mr. Matthews said he is not sure how they found it, it went back further than this, but according to General Statutes, that is as far back as we can refund.

In a motion made by Commissioner Morris, seconded by Commissioner Bostic and so the motion carried unanimously to approve the tax refund request.

Items Carried Forward from the Work Session

Lake Tillery Fire District Boundary Map

In a motion made by Commissioner Morris, seconded by Commissioner Knight, and so the motion carried unanimously to approve the Lake Tillery Fire District Boundary Map.

Wastewater Contract between Montgomery County and American Water Service

In a motion made by Commissioner Knight, seconded by Commissioner Bostic and so the motion carried unanimously to approve the Wastewater Contract between Montgomery County and American Water Service.

Meetings at Badin Lake

Chairman Maness reminded the board of the meetings at Badin on Wednesday.

Unity Breakfast

Commissioner Bostic asked the chairman for permission to speak. Mr. Bostic said he would like to thank everyone including past and present commissioners who came to the unity breakfast he sponsored.

There being no further business, the meeting adjourned.

William D. Maness, Chairman

Laura B. Morton, Clerk to the Board